

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NICHOLAS M. PALM,
Plaintiff,

v.

SGT. JESSICA BROOKS, NBNY PD;
TROOPER TYLLER K. CARROZZO; and
TROOPER NATHANEAL SCHACK,
Defendants.
-----X

ORDER

22 CV 9729 (VB)

6/13/23
Copies Mailed/Faxed
Chambers of Vincent L. Briccetti

Plaintiff, who is proceeding pro se and in forma pauperis, brings claims under 42 U.S.C. § 1983 for violations of his constitutional rights.

On November 14, 2022, plaintiff filed the complaint. (Doc. #1).

On December 19, 2022, the Court entered an order directing the U.S. Marshals Service to effect service on the defendants and extending plaintiff's time to serve under Rule 4(m) to 90 days after the date summonses were issued. (Doc. #8). The Clerk of Court issued summonses as to all defendants on December 19, 2022. (Doc. #9).

On April 27, 2023, because defendants had not yet been served, the Court further extended plaintiff's time to serve the defendants, to June 30, 2023. (Doc. #15).

By letter dated June 6, 2023, plaintiff advises the court of his new, temporary mailing address, and requests a sixty-day extension of his time for service. (Doc. #18).

To date, there is no indication on the docket that defendants Sgt. Jessica Brooks and Trooper Tyller K. Carrozzo been served, although the Court has been informed that the Marshals Service is still in the process of effecting service as to these defendants. An executed return of service form for defendant Nathaneal Shack was docketed on June 8, 2023. (Doc. #17).

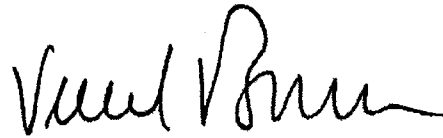
Accordingly, it is HEREBY ORDERED that plaintiff's deadline pursuant to Fed. R. Civ. P. 4(m) to serve Sgt. Brooks and Trooper Carrozzo is extended to August 29, 2023.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: June 13, 2023
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge